

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Maria Pagliara

Docket No. 5:10-M-1872-1

Petition for Action on Probation

COMES NOW Linwood E. King, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Maria Pagliara, who, upon an earlier plea of guilty to Level 5 DWI, was sentenced by the Honorable William A. Webb, U.S. Magistrate Judge, on December 7, 2010, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Officer.
4. The defendant shall surrender his/her North Carolina driver's license to the Clerk of this Court for mailing to the North Carolina Division of Motor Vehicles and not operate a motor vehicle on the highways of the State of North Carolina except in accordance with the terms and conditions of a limited driving privilege issued by the appropriate North Carolina Judicial Official.

On June 6, 2011, the court was advised that the defendant tested positive for marijuana, and she was continued on probation with no modifications to her supervision conditions.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant provided a urine screen on September 30, 2011, which again tested positive for the use of marijuana. Pagliara ultimately admitted to this officer that she had smoked marijuana during the previous week of her urine test, and the specimen was also confirmed positive through a lab test. The defendant recognizes her dependence issues with marijuana and will be required to actively participate in more intensive substance abuse treatment through First Step Services in Raleigh, North Carolina. Pagliara will also be required to continue participation in our Surprise

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Urinalysis Program for monitoring of future drug abstinence. This officer verbally reprimanded the defendant for her actions, and we are recommending that Pagliara be continued on supervision to obtain additional exposure to substance abuse treatment. We would further recommend she be required to complete one jail weekend.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons from 6:00 p.m. Friday until 6:00 a.m. Monday for a period of (1) weekend, commencing as directed by the Bureau of Prisons and the Probation Office. She shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

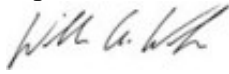
I declare under penalty of perjury that the foregoing is true and correct.

/s/Michael C. Brittain
Michael C. Brittain
Senior U.S. Probation Officer

/s/Linwood E. King
Linwood E. King
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8682
Executed On: October 18, 2011

ORDER OF COURT

Considered and ordered this 19 day of October, 2011, and ordered filed and made a part of the records in the above case.



William A. Webb
U.S. Magistrate Judge